

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ANTONIA PHILLIPS, et al.

Plaintiffs,

- against -

CITY OF NEW YORK, et al.

Defendants,

USDC SDNY
DOCUMENT
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DATE FILED: 10/01/24

03 Civ. 4887 (VM)

ORDER

VICTOR MARRERO, United States District Judge.

The Court has received the 2023 Annual Accounting and the Final Accounting (see Dkt. Nos. 475-1, 475-2) for the Henesy Feliz Supplemental Needs Trust (the "Trust"), as well as multiple letters related thereto from interested parties (see Dkt. Nos. 476, 478, 483, 486, 487).

Orange Bank & Trust Co.'s request for disbursement from the Trust in the amount of \$6,462.50 for legal fees (see Dkt. No. 487 at 3) is hereby **DENIED**.

Orange Bank & Trust Co.'s request for disbursement from the Trust in the amount of \$16,269.16 in unpaid commissions (see id.) is hereby **DENIED**. Correspondence between former Guardian ad Litem Harry Rimm and counsel for Orange Bank & Trust Co. shows that Orange Bank & Co. agreed to withdraw this request. (Dkt. No. 478-1 at 6.) That same correspondence confirms "that [Orange Bank & Trust] has received and been paid all their prior commissions." (Id. at 2.)


Former Guardian ad Litem Harry Rimm's requests for disbursement from the Trust to pay the invoices of Djukic Estate Law, IKOR Services, and Kirshon & Co. (see Dkt. No. 478 at 4-5) are hereby **APPROVED** *nunc pro tunc* to the dates of those respective invoices.

Orange Bank & Co. shall indemnify the Trust for any fees, penalties, interest, or other liabilities assessed on the Trust as a result of Orange Bank & Co.'s untimely payment of federal, state, or local taxes. Orange Bank & Co. is otherwise conditionally **DISCHARGED** as Trustee of the Henesy Feliz Supplemental Needs Trust, subject to the indemnification for tax-related liabilities indicated herein.

Seeing no basis at this time to conclude that Orange Bank & Co. or its attorneys acted in bad faith, the Court hereby vacates the show-cause hearing in this matter currently scheduled for October 25, 2024.

SO ORDERED.

Dated: New York, New York
October 1, 2024


Victor Marrero
U.S.D.J.